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SHER TREMONTE LLP

MEMO ENDORSED

September 8, 2016

**BY EMAIL**
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The supplemental disclosures as to the testimony of Mr. Golaszewski are inadequate to comply with Rule 16(b)(1)(c) insofar as it does not disclose the "bases and reasons" for so much of his opinion as is based upon the "duties and obligations of a director under Cayman Islands law" and "background concepts of Cayman Islands law regarding the role of signatories."

Re: *United States v. Gary Hirst*, 15 Cr. 643 (PKC)

Counsel:

The defense hereby provides additional disclosure concerning the anticipated testimony of Jan Golaszewski, Esq.

With respect to the bases for his opinion on the legal authorization for the warrant agreement and share issuance, Mr. Golaszewski reviewed the ASSAC and Gerova board minutes, including Government Exhibits 210-223, additional Board minutes produced by the government in its Rule 16 disclosures, as well as other relevant background documents, including the company's Articles of Association (Government Exhibit 200 and 224) and other documents produced to the government in defendant's Rule 16 disclosure (Bates numbers GTH000169-77), and considered the duties and obligations of a director under Cayman Islands law, based principally on two treatises, Palmer's Company Law and Bowstead and Reynolds on Agency.

In addition, we anticipate Mr. Goleszewski will testify that, under Cayman Islands law, a signatory on an account has the power to make payments from the account, but has no further authority or obligations with respect to such payments. That conclusion is based on Mr. Goleszewski's review of documents produced to the government in defendant's Rule 16 disclosure (Bates number GTH000359-000675) and background concepts of Cayman Islands law regarding the role of signatories.

SO ORDERED
[signature]
USDJ
9-8-16

Sincerely,

/s/
Michael Tremonte
Justine A. Harris
Noam Biale